

under, be denied the benefits of, or be subjected to discrimination under any program or activity carried on or receiving Federal assistance under any subchapter of this chapter. This provision will be enforced through agency provisions and rules similar to those already established, with respect to racial and other discrimination, under title VI of the Civil Rights Act of 1964 [42 U.S.C. 2000d et seq.]. However, this remedy is not exclusive and will not prejudice or cut off any other legal remedies available to a discriminatee.

(Pub. L. 93-438, title IV, §401, Oct. 11, 1974, 88 Stat. 1254.)

REFERENCES IN TEXT

Any subchapter of this chapter, referred to in text, was in the original “any title of this Act”, meaning Pub. L. 93-438, Oct. 11, 1974, 88 Stat. 1233, as amended, which enacted this chapter, amended sections 5313 to 5316 of Title 5, Government Organization and Employees, repealed sections 2031 and 2032 of this title, and enacted provisions set out as notes under section 5801 of this title.

The Civil Rights Act of 1964, referred to in text, is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to subchapter V (§2000d et seq.) of chapter 21 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

CHAPTER 74—NONNUCLEAR ENERGY RESEARCH AND DEVELOPMENT

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5901.	Congressional statement of findings.			(d)	Considerations applicable at time of contracting for waiver determination by Secretary.		
5902.	Congressional declaration of policy and purpose; implementation and administration of program by Secretary of Energy.			(e)	Considerations applicable to identified invention for waiver determination by Secretary.		
5903.	Duties and functions of Secretary.			(f)	Rights subject to reservation where title to invention vested in United States.		
5903a.	Nonduplication of programs, projects, and research facilities.			(g) to (i)	Repealed.		
5903b.	Environmental and safety research, development, and demonstration program.			(j)	Small business status of applicant for waiver or licenses.		
5903c.	Moneys received by Secretary from fossil energy activity; payment into Treasury; reports to House and Senate Committees.			(k)	Protection of invention, etc., rights by Secretary.		
5903d.	Clean coal technology projects; proposals, implementation, funding, etc.			(l)	Department of Energy as defense agency of United States for purpose of maintaining secrecy of inventions.		
5904.	Research, development, and demonstration program governing principles.			(m)	Definitions.		
5905.	Comprehensive plan and implementing program for energy research, development, and demonstration; transmission to Congress; purposes; scope of program; comprehensive environment and safety program implementing plan; development and transmission to Congress.			(n)	Report concerning applicability of existing patent policies to energy programs; time for submission to President and appropriate Congressional committees.		
5906.	Federal assistance and participation in programs.	5909.	Relationship to antitrust laws.				
	(a) Forms of activities authorized.	5910.	Repealed.				
	(b) Proposed joint Federal-industry corporations; operational guidelines; powers, duties, and functions; composition; scope of Federal assistance and participation; specific authorization.	5911.	Allocation or acquisition of essential materials and equipment pursuant to Presidential rule or order; transmission to Congress and effective date of proposed rule or order; disapproval by Congress.				
	(c) Proposed competitive systems of price supports for demonstration facilities; guidelines.	5912.	Water resource assessments.				
	(d) Support for joint university-industry research efforts.		(a) Assessments by Water Resources Council of water resource requirements and water supply availability for nonnuclear energy technologies; preparation requirements.				
5907.	Demonstration projects.		(b) Request by Secretary that Water Resources Council prepare assessment of availability of adequate water resources for proposed demonstration projects; report; publication.				
	(a) Scope of authority of Secretary.						
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- (c) Assessment by Water Resources Council of availability of adequate water resources as precondition for Federal assistance for commercial application of nonnuclear energy technologies.
 - (d) Publication of reports of assessments and evaluations by Water Resources Council in Federal Register; public review and comments.
 - (e) Inclusion of survey and analysis of regional and national water resource availability in biennial assessment by Water Resources Council.
 - (f) Secretary as member of Water Resources Council.
5913. Evaluation by National Institute of Standards and Technology of energy-related inventions prior to awarding of grants by Secretary; promulgation of regulations.
5914. Omitted.
5915. Authorization of appropriations.
- 5915a. Expiration of initial authorization to construct fossil energy demonstration plants.
5916. Central source of nonnuclear energy information; acquisition of proprietary and other information; availability of information to public, Government agencies, Federal agencies and agency heads for execution of duties and responsibilities, and chairmen of Congressional committees; disclosure restrictions.
5917. Energy information.
5918. Repealed.
5919. Loan guarantees and commitments for alternative fuel demonstration facilities.
- (a) Statement of purpose.
 - (b) Issuance of obligations for alternative fuel conversion facilities; terms and conditions; rules and regulations; informational requirements; concurrence of Secretary of Treasury to terms and conditions; pledge of full faith and credit of United States; cooperative agreements for construction, etc., of modular facilities; bidding practices.
 - (c) Prerequisites.
 - (d) Repealed.
 - (e) Impact on communities, States, and Indian tribes; notice to State and local officials; procedures applicable for further action by Secretary subsequent to negative recommendation by State Governor; criteria and determinations relating to approval by Secretary of construction and operation plans; establishment, membership, etc., of advisory panel.
 - (f) Termination, cancellation, revocation; conclusiveness; contestability.
 - (g) Default by borrower; procedures applicable to payment by Secretary and rights of subrogation; notice to Attorney General by Secretary for further action; protection for benefit of United States of patents and technologies of defaulting project through agreements, etc.
 - (h) Contracts to pay, and payment of principal and interest by Secretary of unpaid balance of guaranteed obligations; prerequisites.
 - (i) Time for issuance of regulations; procedures applicable to issuance of regulations and amendments.
 - (j) Fees for guarantees of obligations; determination of amounts; excepted guarantees.

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- (k) Community development and planning assistance guarantees; terms and conditions; rules and regulations; concurrence of Secretary of Treasury to terms and conditions; payment of taxes in event of default by borrower; additional direct loans and grants; redemption of debt obligations; funding requirements and authorizations; facility title vesting and status upon default.
 - (l) Annual reporting requirements; contents, etc.
 - (m) Congressional finalization of guarantee, etc., subsequent to report to Congressional committees; scope of authority.
 - (n) Revolving fund; creation; funding; payments and transfers to general fund of Treasury; issuance, redemption, etc., of notes or obligations; applicability to direct loans or planning grants.
 - (o) Definitions.
 - (p) Citizenship or nationality requirements for applicants; waiver.
 - (q) Transfer of part of program to other agency or authority.
 - (r) Statutory provisions applicable to inventions.
 - (s) Compliance by persons receiving financial assistance with Federal and State environmental, etc., laws and regulations, and licensing requirements.
 - (t) Availability of information; procedures applicable; scope of disclosure; persons to whom disclosure may be made; "person" defined.
 - (u) Scope of exercise of statutory authorities.
 - (v) Nondiscrimination requirements; scope of exemption from requirements for Indian tribes.
 - (w) Participation by small business concerns in program.
 - (x) Recordkeeping requirements; audit by Comptroller General; labor standards at construction facilities.
 - (y) Issuance of obligations for synthetic fuel conversion facilities and municipal organic waste energy generation facilities; rules and regulations; statutory provisions inapplicable; limitation on outstanding indebtedness; additional procedural requirements and terms and conditions applicable.
5920. Financial support program for municipal waste reprocessing demonstration facilities.
- (a) Statement of purpose.
 - (b) Grants, contracts, price supports, and cooperative agreements implementing programs; aggregate amount of funds available; "municipal" defined; ownership, operation, etc., of facilities; Federal share; price support program regulations for revenue producing products.
 - (c) Consultation with Environmental Protection Agency to insure compliance with provisions relating to solid waste disposal full-scale demonstration facilities; administration of projects subject to May 7, 1976, Interagency Agreement.

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- (d) Guidelines for obtaining program information from municipalities; availability of information, etc., to Congressional committees; annual reports to Congress; contents, etc.
- (e) Transfer of part of program to other agency or authority.
- (f) Compliance by municipalities receiving financial assistance with Federal and State environmental, etc., laws and regulations, and licensing requirements.

CHAPTER REFERRED TO IN OTHER SECTIONS

This chapter is referred to in sections 5903d, 5907a, 6981, 7135a, 7259a, 8837, 13435, 13541 of this title; title 7 sections 341, 427, 1932; title 15 sections 2507, 2705, 5103, 5303.

§ 5901. Congressional statement of findings

The Congress hereby finds that—

(a) The Nation is suffering from a shortage of environmentally acceptable forms of energy.

(b) Compounding this energy shortage is our past and present failure to formulate a comprehensive and aggressive research and development program designed to make available to American consumers our large domestic energy reserves including fossil fuels, nuclear fuels, geothermal resources, solar energy, and other forms of energy. This failure is partially because the unconventional energy technologies have not been judged to be economically competitive with traditional energy technologies.

(c) The urgency of the Nation's energy challenge will require commitments similar to those undertaken in the Manhattan and Apollo projects; it will require that the Nation undertake a research, development, and demonstration program in nonnuclear energy technologies with a total Federal investment which may reach or exceed \$20,000,000,000 over the next decade.

(d) In undertaking such program, full advantage must be taken of the existing technical and managerial expertise in the various energy fields within Federal agencies and particularly in the private sector.

(e) The Nation's future energy needs can be met if a national commitment is made now to dedicate the necessary financial resources, to enlist our scientific and technological capabilities, and to accord the proper priority to developing new nonnuclear energy options to serve national needs, conserve vital resources, and protect the environment.

(Pub. L. 93-577, § 2, Dec. 31, 1974, 88 Stat. 1879.)

SHORT TITLE

Section 1 of Pub. L. 93-577 provided that: "This Act [enacting this chapter] may be cited as the 'Federal Nonnuclear Energy Research and Development Act of 1974'."

§ 5902. Congressional declaration of policy and purpose; implementation and administration of program by Secretary of Energy

(a) It is the policy of the Congress to develop on an urgent basis the technological capabilities to support the broadest range of energy policy options through conservation and use of domes-

tic resources by socially and environmentally acceptable means.

(b)(1) The Congress declares the purpose of this chapter to be to establish and vigorously conduct a comprehensive, national program of basic and applied research and development, including but not limited to demonstrations of practical applications, of all potentially beneficial energy sources and utilization technologies, within the Department of Energy.

(2) In carrying out this program, the Secretary of Energy (hereinafter in this chapter referred to as the "Secretary") shall be governed by the terms of this chapter and other applicable provisions of law with respect to all nonnuclear aspects of the research, development, and demonstration program; and the policies and provisions of the Atomic Energy Act of 1954 [42 U.S.C. 2011 et seq.], and other provisions of law shall continue to apply to the nuclear research, development, and demonstration program.

(3) In implementing and conducting the research, development, and demonstration programs pursuant to this chapter, the Secretary shall incorporate programs in specific nonnuclear technologies previously enacted into law, including those established by the Solar Heating and Cooling Act of 1974 (Public Law 93-409) [42 U.S.C. 5501 et seq.], the Geothermal Energy Research, Development, and Demonstration Act of 1974 (Public Law 93-410) [30 U.S.C. 1101 et seq.], and the Solar Energy Research, Development, and Demonstration Act of 1974 (Public Law 93-473) [42 U.S.C. 5551 et seq.].

(Pub. L. 93-577, § 3, Dec. 31, 1974, 88 Stat. 1879; Pub. L. 95-91, title III, § 301(a), title VII, §§ 703, 707, Aug. 4, 1977, 91 Stat. 577, 606, 607.)

REFERENCES IN TEXT

The Atomic Energy Act of 1954, referred to in subsec. (b)(2), is act Aug. 1, 1946, ch. 724, as added by act Aug. 30, 1954, ch. 1073, § 1, 68 Stat. 921, and amended, which is classified generally to chapter 23 (§ 2011 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2011 of this title and Tables.

The Solar Heating and Cooling Act of 1974, referred to in subsec. (b)(3), probably means the Solar Heating and Cooling Demonstration Act of 1974, Pub. L. 93-409, Sept. 3, 1974, 88 Stat. 1069, as amended, which is classified generally to subchapter I (§ 5501 et seq.) of chapter 71 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5501 of this title and Tables.

The Geothermal Energy Research, Development, and Demonstration Act of 1974, referred to in subsec. (b)(3), is Pub. L. 93-410, Sept. 3, 1974, 88 Stat. 1079, as amended, which is classified generally to chapter 24 (§ 1101 et seq.) of Title 30, Mineral Lands and Mining. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 30 and Tables.

The Solar Energy Research, Development, and Demonstration Act of 1974, referred to in subsec. (b)(3), is Pub. L. 93-473, Oct. 26, 1974, 88 Stat. 1431, as amended, which is classified generally to subchapter II (§ 5551 et seq.) of chapter 71 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 5501 of this title and Tables.

TRANSFER OF FUNCTIONS

"Department of Energy", "Secretary of Energy", and "Secretary" substituted for "Energy Research and Development Administration", "Administrator of the Energy Research and Development Administration", and